

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1, 3-6 and 8 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

It is noted that claim 7 has been withdrawn from consideration as being drawn to a non-elected species. Claim 8 has been added which depends from claim 1.

Entry of Amendment

At the outset, it is respectfully requested that the present Amendment should be entered into the official file in view of the fact that the amendments to the claims automatically place the application in condition for allowance. Alternatively, if the Examiner does not agree that the application is in condition for allowance, it is respectfully requested that the present Amendment should be entered for the purpose of appeal. The amendments further limit the issues by adding additional allowable limitations to the claims.

Rejection Under 35 U.S.C. § 103

Claims 1, 3, 5 and 6 stand rejected under 35 U.S.C. § 103 as being obvious over Graybill (U.S. Patent No. 2,872,097) in view of Giblin et al. (U.S. Patent No. 5,320,279). This rejection is respectfully traversed.

The Examiner points out that the Graybill reference shows a paper container having a hexahedral configuration with a main body and lid member having a hinged juncture on the back edge of the main body. An inner carton part has a concave cut-out part. The Examiner admits that the Graybill reference does not show a separate inner carton part.

The Examiner relies on the Gilblin et al. reference to show a container with an inner carton part separate from the outer container.

Claim 1 as amended describes a paper container having a combination of elements, including a container main body and lid member, an inner carton part having a concave cut-out part, the main body and lid being formed by cutting and dividing the box through a severance guideline which extends obliquely down the sideboards and along the front board beneath the cutout part, the cutout part and the lid being of a size to allow the contents of the container to be removed when the lid extends only as far back as the back of the container. Further, the contents are defined as a sheet-like detergent, a tablet-type detergent and an agglomerated detergent. Applicants submit that these features are not seen by this combination of references.

The present invention has been designed to allow easy access to the contents of the container. As indicated at page 10, lines 28-30, the lid can be opened even when the main body is in contact with a rear wall and thus the lid cannot be fully opened. However, because of the relative dimensions of the container and the deepness and wideness of the cutout part, it is possible to remove the contents even when the lid may not be rotated backward beyond the back of the container. Since the contents are in the form of a sheet, tablet or agglomerated detergent, the ability to easily remove the contents is important. This differs from the Graybill reference where the cutout part is very shallow and where there is no consideration for the lid being only partially opened. The Graybill container is designed for cigarettes which are normally not stored on a shelf when opened and thus there is no provision for being able to remove the cigarettes without opening the lid

completely. Since a box of detergent may readily be stored on a shelf next to a washing machine, it is important that the detergent sheets be accessible even if the lid may not be opened completely. By providing a deep and wide cutout part, it is possible to remove these sheets even when the lid is only partially opened. Thus, the cut out part in the present invention is sufficiently deep, such as shown in the drawings where it is shown as being more than half the height of the paper container. This compares to the Graybill reference where the depth of the concave part is only about 1/10 the height of the container. This feature is not seen in Graybill and would not be obvious thereover because of the different construction and the different use of the container.

Furthermore, the Giblin et al. reference does not aid in this teaching either. Although this container is used for storing detergent, the lid is very shallow and does not interfere with the removal of the contents because there is no cut-away portion. Thus, the Giblin et al. reference does not aid the Graybill reference in teaching this particular arrangement of the container. For these reasons, Applicants submit that claim 1 is allowable over the combination of references.

Claims 3-6 and 8 depend from claim 1 and as such are also considered to be allowable. In addition, these claims recite other features of the invention. In particular, claim 8 recites that the front board of the inner carton part is made of a single piece. This also differentiates over the Graybill reference where this board is made of two sheets with a split between them. Since the concave cutout part is so deep and so wide, it is prudent that the front board be made of a single sheet for strength. If the front board of the present

device were split in the form of Graybill, this part would be less stable. Accordingly, this claim is additionally allowable.

Claim 4 stands rejected under 35 U.S.C. § 103 as being obvious over Graybill in view of Giblin et al. as applied above, and further in view of Wood et al. (U.S. Patent No. 5,985,772). The Examiner states that the Wood et al. device shows a packaging material having various layers. The Examiner feels that this claim would be obvious over this three way combination of references. Applicants submit that claim 4 is allowable based on its dependency from claim 1 and that the Wood et al. reference does not aid the other references in overcoming their deficiencies noted above.

CONCLUSION

In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination. In view of this, reconsideration of the rejections and allowance of all the claims are respectfully requested.

Should there be any outstanding matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Mr. Robert F. Gnuse (Reg. No. 27,295) at the telephone number below to conduct an interview in an effort to expedite prosecution in connection with the present application.

Attached is a marked-up version of the changes made to the application by this Amendment.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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By


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445-300P

Attachment

JWB/RFG/ags/abs/rk

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Please **amend claim 1** as follows:

1. (Twice Amended) A paper container having a hexahedral configuration which is formed by shaping paper into a box, said paper container comprising:

a container main body and a lid member hingedly attached to a back side edge part of an upper end open surface of said container main body for selectively closing the upper end open surface,

an inner carton part being mounted on an inner side of said container main body and a concave cutout part being formed in a front board of said inner carton part, and

said lid member comprising an upper surface lid part for covering said upper end open surface, a front surface lid part large enough to cover said concave cutout part, and a pair of side lid parts interposed between side edge parts of said upper surface lid part and side edge parts of said front surface lid part and adapted to vertically join said front surface lid part with said upper surface lid part,

said container main body and lid member being formed by cutting and dividing said hexahedral paper box through a severance guide line extending from opposite ends of a connecting ridge line between an upper board and a back board of said paper box, and

said severance guide line extending obliquely downward from the opposite ends of said connecting ridge line along a pair of side boards and extending along said front board beneath said concave cutout part formed in the front board of said inner carton; and

said cutout part and said lid member being of a size to allow contents of said container

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to be removed when the upper surface lid part of said lid member extends only as far backward as said back board.

wherein the contents of said paper container are a sheet-like detergent, a tablet-type detergent or an agglomerated detergent.

Claim 8 has been added.